2	BEFORE THE FEDERAL ELECTION COMMISSION				
3	In the Matter of )				
MN-06 Congressional Victory Committee  and Christopher Ward, in his official capacity as treasurer  MUR 6236  mur 6236  mur 6236					
7 8 9	GENERAL COUNSEL'S REPORT #2				
lO	I. <u>ACTIONS RECOMMENDED</u>				
l 1 l 2	Take no further action and close the file.				
13	II. INTRODUCTION				
14	This matter arose as a referral from the Reports Analysis Division to the Office of				
15	the General Counsel based on information indicating that MN-06 Congressional Victory				
16	Committee ("MN-06 CVC") and Christopher Ward, in his official capacity as treasurer				
17	(collectively, "Respondents"), may have made excessive contributions to Bachmann for				
18	Congress in violation of 2 U.S.C. § 441a(a). On December 1, 2009, the Commission				
19	found reason to believe that Respondents violated 2 U.S.C. § 434(b),				
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21					
22	III.				
23	For the reasons set forth below, we recommend that the Commission take no				
24	further action and close the file in this matter.				
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<sup>&</sup>lt;sup>1</sup> The First General Counsel's Report recommended that the Commission find reason to believe that Respondents violated 2 U.S.C. §§ 441a(a), 434(b), 433(c), and 432(e) in connection with contributions received from joint fundraising committees that MN-06 CVC subsequently transferred to Bachmann for Congress. See RR 08L-24 First General Counsel's Report at 5-14. On December 1, 2009, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(b) only by failing to itemize contributions that it had received from one of the joint fundraising committees. See Commission Certification dated December 1, 2009.

1	Mr. Ward claims he is no			
2	longer the treasurer of MN-06 CVC			
3	Ward produced a copy of a letter that purports to effect his resignation as treasurer of			
4	MN-06 CVC. See Attachment. Ward's letter, dated February 15, 2008, is addressed to			
5	Bachmann for Congress, the candidate Michelle Bachmann had previously designated			
6	MN-06 CVC as an authorized committee on October 26, 2006. See id.			
7				
8	, we contacted Bachmann for Congress and Ward's			
9	counsel. The treasurer for Bachmann for Congress initially indicated that the committee			
10	was searching for Ward's purported resignation letter but has not responded to			
11	subsequent requests for further information. Ward's counsel informed us that the MN-			
12	06 CVC records are in counsel's possession.			
13	In addition , the			
14	committee appears to be defunct. In its last report to the Commission, its 2007 Year End			
15	Report submitted on February 1, 2008, MN-06 CVC disclosed that it had no receipts or			
16	cash on hand.			
	<sup>2</sup> Because Ward's apparent violations as treasurer of MN-06 CVC were not knowing and willful, he is not necessary liable for the consensus violations that are the subject of the Commission's reason to believe			

<sup>&</sup>lt;sup>2</sup> Because Ward's apparent violations as treasurer of MN-06 CVC were not knowing and willful, he is not personally liable for the apparent violations that are the subject of the Commission's reason to believe findings in this matter. See Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3 (January 3. 2005).

<sup>&</sup>lt;sup>3</sup> Ward's purported February 15, 2008, resignation letter also indicates that a courtesy copy was sent to the Commission. Ward claims that he resigned from all of committees that he served as treasurer through resignation letters that were also sent to the Commission. According to Ward, he sent copies of the resignation letters to the Commission in separate envelopes in early 2008 when allegations arose that he had embezzled from several committees. We checked the Commission's database and also conferred with the Reports Analysis Division but found no record of Ward's resignation from MN-06 CVC or from any other committee.

1	For these reasons,			
2	further efforts to pursue the possible violation in this matter would not be a			
3	prudent use of the Commission's resources. Accordingly, we recommend that the			
4	Commission take no further action and close the file.			
5 6 7 8 9 10 11 12 13	IV.	<ol> <li>RECOMMENDATIONS</li> <li>Take no further action as to MN-06         Christopher Ward, in his official cap     </li> <li>Approve the appropriate letter.</li> <li>Close the file.</li> </ol>	• •	
15 16 17 18 19 20 21 22 23 24 25	Date:	<i>5 1<b>3</b> 10</i> B	Thomasenia P. Duncan General Counsel  Y:  Ann Marie Terzaken Associate General Counsel for Enforcement	
26 27 28 29 30 31 32 33 34			Mark Allen Assistant General Counsel  Michael A. Columbo Attorney	
35 36 37	Attachment:  Letter from Christopher Ward to Bachmann for Congress dated February 15,			